

PF

BEST AVAILABLE COPY

Law Offices of  
SENNIGER, POWERS, LEAVITT AND ROEDEL  
One Metropolitan Square, 16th Floor  
St. Louis, Missouri 63102  
Telephone (314) 231-5400  
Facsimile (314) 231-4342

OFFICIAL  
RECEIVED  
CENTRAL FAX CENTER

SEP 16 2003

## FACSIMILE TRANSMITTAL COVER SHEET

DATE: September 15, 2003 ATTORNEY DOCKET NUMBER: SIU 7396DELIVER THIS FACSIMILE TO: Examiner Jerome D. GoldbergPTO FACSIMILE NUMBER: 703-305-3592THIS FACSIMILE IS BEING SENT BY: James E. DavisNUMBER OF PAGES: 5 INCLUDING COVER SHEETTIME SENT: 4:00pm OPERATOR'S NAME Christie L. Hartmann

## CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to  
the Patent and Trademark Office on the date shown below.

Christie L. Hartmann  
Typed or printed name of person signing certification

Christie L. Hartmann September 15, 2003  
Signature Date

Type of paper transmitted: Letter to the Patent and  
Trademark Office

Applicant's Name: Kathleen C.M. CampbellSerial No. (Control No.): 09/911,195 Examiner: Jerome D. GoldbergFiling Date: July 23, 2001

Application Title: THERAPEUTIC USE OF D-METHIONINE TO REDUCE  
THE TOXICITY OF NOISE

IF YOU DO NOT RECEIVE ALL PAGES CLEARLY, CALL BACK AS SOON AS  
POSSIBLE. CONFIRMING NUMBER IS (314) 231-5400.

SIU 7396  
PATENT#10  
JRP  
9/19/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**OFFICIAL**  
**RECEIVED**  
CENTRAL FAX CENTER

SEP 16 2003

Application of: Kathleen C.M. Campbell  
Art Unit: 1614  
Serial No.: 09/911,195  
Filed: July 23, 2001  
Confirmation No.: 2942  
For: THERAPEUTIC USE OF D-METHIONINE  
TO REDUCE THE TOXICITY OF NOISE  
Examiner: Jerome D. Goldberg

September 15, 2003

LETTER TO THE PATENT AND TRADEMARK OFFICE

TO THE COMMISSIONER OF PATENTS AND TRADEMARKS,  
SIR:

In response to the Office action dated July 15, 2003,  
Applicants duly submit this letter for reconsideration.

**REMARKS**Rejection under 35 U.S.C. §103(a)

Reconsideration is respectfully requested of the rejection of claims 1 and 3-41 under 35 U.S.C. §103(a) as obvious over Campbell et al., "D-methionine Provides Excellent Protection from Cisplatin Ototoxicity in the Rat," Hearing Research, 102, 90-98 (1996).

As defined in claim 1, the present invention is directed to a method for preventing or treating ototoxicity in a patient exposed to noise for a time and at an intensity sufficient to result in ototoxicity. In particular, Applicant has discovered that administration of an effective amount of an otoprotective agent comprising a compound containing a methionine or a methionine-like moiety to a patient can prevent or treat ototoxicity when the patient is exposed to noise at a level or for a duration that would cause ototoxicity.